IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 10TH AUGUST 2007 / 19TH SRAVANA 1929

WP(C).No. 35064 of 2004(Y)

PETITIONER:

T.REGHU, DEEPALAYAM, MUTTARA,
OADANAVATTAM, VELIYAM VILLAGE,
KOTTARAKKARA TALUK, KOLLAM DISTRICT.

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENTS:

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1. STATE OF KERALA, REP. BY SECRETARY,
DEPARTMENT OF REVENUE,
KERALA GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. DISTRICT COLLECTOR, KOLLAM.

3. DIRECTOR,
MINING AND GEOLOGY, THIRUVANANTHAPURAM.

4. GEOLOGIST,
MINING AND GEOLOGY DEPARTMENT, KOLLAM.

5. TAHSILDAR, KOTTARAKKARA.

6. RDO, KOLLAM.

BY GOVT.PLEADER SMT.N.SUDHDEVI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P(C)No.35064/2004

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1. COPY OF THE SHORT FIRERS PERMIT ISSUED TO THE PETITIONER.

EXT.P2. COPY OF THE NO OBJECTION CERTIFICATE ISSUED TO THE PETITIONER DATED 22-7-2003

EXT.P3. COPY OF THE NO OBJECTION CERTIFICATE ISSUED TO CHANDRAMOHAN.N. DATED 9-10-2003

EXT.P4. COPY OF THE NO OBJECTION CERTIFICATE ISSUED TO RAJAN.B. DATED 26-2-2004

EXT.P5. COPY OF THE NO OBJECTION CERTIFICATE ISSUED BY 2ND RESPONDENT DATED 20-8-2004

EXT.P6. COPY OF QUARRYING PERMIT IN FAVOUR OF THE PETITIONER DATED 13-9-2004.

EXT.P7. COPY OF ORDER NO.L1 64426/04 DATED 21-10-2004 PROHIBITING THE USE OF JACK HAMMER

EXT.P8. COPY OF THE ORDER IN CMP NO.2691/98 IN OP 1487/98

EXT.P9. COPY OF THE AFFIDAVIT OF THE 2ND RESPONDENT IN O.P.NO.1487/98

EXT.P10. COPY OF THE REPRESENTATION DATED 3-11-2004 FILED BY THE PETITIONER TO 2ND RESPONDENT.

EXT.P11. COPY OF THE APPEAL PETITION FILED BY PETITIONER TO SECRETARY TO GOVERNMENT, DEPARTMENT OF INDUSTRIES DATED 3-11-2004

EXT.P12. COPY OF THE APPEAL PETITION FILED BY PETITIONER TO SECRETARY TO GOVERNMENT, DEPARTMENT OF REVENUE DATED 3-11-2004.

/ TRUE COPY /

P.S.TO JUDGE

KURIAN JOSEPH, J.

W.P(C)No.35064 of 2004

Dated this the 10th day of August, 2007

JUDGMENT

In the matter of use of jack hammers there is already an interim order dated 17-12-2004. The writ petition is hence disposed of in terms of the said order making it clear that in case the petitioner has still any grievance left he may pursue the same in appropriate proceedings.

(KURIAN JOSEPH, JUDGE)

ahg.